

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LEHMAN BROTHERS HOLDINGS, INC.,

Plaintiff,

v.

EQUITY RESOURCES, INC.,

Defendant.

Civil Action No. 2:09-CV-735

Judge Gary L. Lancaster

ELECTRONICALLY FILED

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(2), Plaintiff Lehman Brothers Holdings, Inc. ("LBHI") and Defendant Equity Resources, Inc. ("Equity Resources") file this Joint Stipulation of Dismissal with prejudice and in support thereof would respectfully state to the Court as follows:

There are no longer any issues in this matter between LBHI and Equity Resources. The Plaintiff hereby stipulates that all claims or causes of action against Equity Resources which were the subject matter of this lawsuit are hereby dismissed with prejudice, with court costs to be paid by the party incurring same.

Respectfully submitted,

KAHRL WUTSCHER LLP

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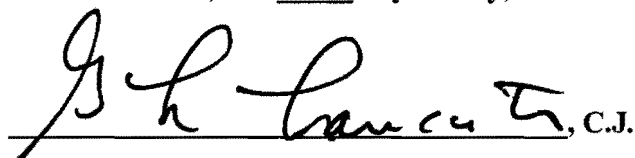
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COUNSEL FOR PLAINTIFF

COUNSEL FOR DEFENDANT

SO ORDERED, this 28th day of July, 2010.

 G. L. Lancaster, C.J.